



Entered on Docket
October 12, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

Date of Hearings: October 15, 2007
Time of Hearings: 9:30 a.m.

New Date of Hearings: November 16, 2007
Time of Hearings: 9:30 a.m.

**ORDER APPROVING STIPULATION TO DISALLOW DUPLICATE CLAIMS
FILED BY WYNN A. AND LORRAINE J. GUNDERSON AND CONTINUE
HEARING ON MOTION FOR SUMMARY JUDGMENT RE GUNDERSONS'
REMAINING CLAIM**

IT IS HEREBY ORDERED:

- Approving the Stipulation by and between USACM Liquidating Trust and Wynn A. and Lorraine J. Gunderson [DE 4976];
- Disallowing Proof of Claim Nos. 10725-02321, 10725-02322, 10725-02447-1, 10725-2448-1 and 10725-02448-2 in their entirety as being duplicate or having been amended; Claim No. 10725-02447-2 shall remain of record subject to further objection by the USACM Trust.
- Vacating the hearing set for October 15, 2007, at 9:30 a.m. on USACM Trust's Motion for Summary Judgment [DE 4291] as it relates to the Gundersons' Claim (Claim No. 10725-02447-2) only and on USACM Trust's Objection to Wynn A. and Lorraine J. Gunderson Claims Asserting Secured Status, [DE 4262]. The hearing on the Motion for Summary Judgment and Objection is continued to **November 16, 2007 at 9:30 a.m.**;
- The deadline for the Gundersons to file and serve a response to the Objection [DE 3155 and 4262] and the Motion for Summary Judgment [DE 4291] is extended to October 24, 2007; and

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10-11-2007 04:34pm From=GUNDERSON PALMER

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- 1 • The USACM Trust's reply to the response shall be filed and served by
2 November 2, 2007.

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5 PREPARED AND SUBMITTED:

6 LEWIS AND ROCA LLP

7 By: /s/ RC (#0006593)
8 Susan M. Freeman
9 Rob Charles
10 John Hinderaker
Attorneys for USACM Liquidating Trust

11 APPROVED AS TO FORM AND CONTENT:

12 By: 
13 Wynn A. Gunderson

14 By: 
15 Lorraine A. Gunderson
16